

633.158 Liability for property not a part of estate.

Every fiduciary shall be chargeable in the fiduciary's accounts with property not a part of the estate that comes into the fiduciary's hands at any time, and shall be liable to the persons entitled to the property, if either of the following applies:

1. The property was received under a duty imposed upon the fiduciary by law in the capacity of fiduciary.

2. The fiduciary has commingled the property with the assets of the estate.

[C66, 71, 73, 75, 77, 79, 81, §633.158]

[2020 Acts, ch 1063, §341](#)